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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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00/292,020 04/14/90 FLEMING

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EXAMINER
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PM82/0415

HOYT A FLEMING III  
4124 WEST QUAIL RIDGE DRIVE  
BOISE ID 83703

ART UNIT	PAPER NUMBER
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3082

DATE MAILED:

04/19/90

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/292,089**

Applicant(s)  
**Hoyt A. Fleming, III**

Examiner  
**Bernarr Earl Gregory**

Group Art Unit  
**3662**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3662

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Throughout claims 1-21, the uses of the following lack antecedent basis: "the position"; "the device"; "the frequency"; "the signal strength"; and, "the velocity."

In independent claim 18, the uses of word "coupled" are indefinite and unclear in context. For example, "coupled" could mean mechanically coupled, even indirectly so. For example, any car that has a radar detector that uses a microprocessor and that also has a separate GPS receiver has in a broad sense all of the three parts recited in the body of claim 18 coupled to one another in that they are all present in a car and that are all at least indirectly coupled to the car. It is pointed out that "coupled" could mean directly coupled or indirectly coupled.

Dependent claims 2-10, 12-17, and 19-21 are unclear in that they depend from unclear independent claims 1, 11, and 18.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3662

Ryan et al ('088) is particular close to Applicants' claimed invention, but it signals if the radar source is within a predetermined distance, but Applicants claim signaling if the radar source is "not within a predetermined distance." Please note the Abstract for Ryan et al ('088).

Biggs ('215) and Potter ('844) are each of general interest for showing systems and methods of discriminating among incoming radar signals. Biggs ('215) is particularly directed toward eliminating an alarm sounding in response to "spurious signals" (last line of its Abstract).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr Gregory whose telephone number is (703) 306-5765.



**Bernarr E. Gregory**  
**Primary Examiner**  
**Art Unit 3662**

beg

April 17, 2000